THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 23143 OF 1998

Dated 5th March, 2007

Between:

Mohd. Qubul Ahmed

…Petitioner.

And

The Commissioner of Police, Hyderabad City, Hyderabad and others.

…Respondents.

ORAL ORDER:

In this writ petition, the petitioners seeks a writ of mandamus to declare the action of the respondents in preventing the petitioner from doing his bangle business in shop bearing No.21-2-297/2 at Ganesh Market, Lad Bazar, Charminar as illegal and to direct the respondents not to prevent the petitioner from opening his shop i.e. Deccan Bangle Shop.

In the affidavit filed in support of the writ petition, it is stated that the petitioner is a resident of Owaisi Colony, Edibazar, Hyderabad and is doing bangles business in the premises bearing No.21-2-297/2 under the name and style of 'Deccan Bangle Shop' with the assistance of his two sons, namely, Md.Siddique and Md.Salauddin. It is alleged that on 2.8.1998 the 4th respondent took away the keys of the shop and prevented the petitioner from doing business.

This court, on 21.8.1998, while admitting the writ petition issued interim directions in WPMP No. 27915 of 1998 to the respondents not to interfere with the business of the petitioner in the premises bearing No.21-2-291/2, Ganesh Market, Lad Bazaar, Charminar, Hyderabad under the name and style of 'Deccan Bangle Shop'. Though the writ petition is of the year 1998, no counter affidavit has yet been filed and the interim order granted on 21.8.1998 continued all along.

It is stated in this case that the impugned action is taken by the respondents only on the ground that the petitioner has failed to produce his other son by name, Md.Mehraaj, as demanded by the police authorities. If any complaint is lodged against any of the

family members of the petitioner, while it is open for the respondents to take steps on the complaint in accordance with law, but the respondents cannot prevent the petitioner from doing his business in bangles under the name and style of 'Deccan Bangle Shop'. As much as this court has granted interim directions on 21.8.1998 and the said orders continued all along and as no counter affidavit is filed, I dispose of the writ petition with a direction to the respondents not to interfere with the business of the petitioner, which is being run under the name and style of 'Deccan Bangle Shop'. However, it is made clear that if any complaint is lodged or criminal case is pending against the petitioner or any other persons, it is open for the respondents to take steps in accordance with law.

Subject to above directions, the writ petition is disposed of. No costs.

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5.3.2007

R.SUBHASH REDDY, J.

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